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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,444	06/06/2001	Bruce R. Baird	15184.2	5041

7590 04/15/2005

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EXAMINER
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WOO, ISAAC M

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 04/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/875,444

Applicant(s)

BAIRD ET AL.

Examiner

Isaac M Woo

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 and 12-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10, 12-15 and 18-20 is/are allowed.
- 6) ☐ Claim(s) 16, 17 and 21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is in response to Applicant's Amendments and Affidavits (Rule 131) on February 24, 2005 have been considered, but are deemed moot in view of new ground of rejections below.
2. Claim 11 is canceled. Claims 1-10 and 12-21 are pending.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 16-17 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borovoy et al (U.S. Patent No. 5,873,107, hereinafter, "Borovoy") in view of Corl, Jr. et al (U.S. Patent No. 6,529,897, hereinafter, "Corl").

With respect to claim 16, Fields discloses, within an application, (text authoring system, col. 2, lines 26-32), previewing data that has not been selected by a user within

at least one application, see (fig. 2, col. 26-39, text data is displayed on 201, window user interface, fig. 1, the text data on window user interface not was not selected yet); selecting a portion of the previewed data as search terms (205, 207, fig. 2) without user input, see (col. 2, lines 26-40, col. 3, lines 40-48, system automatically selects keywords means without user input); performing a search without user input, wherein the search is based on the portion of the previewed data (extracted keywords), see (fig. 2, col. 2, lines 26-40, col. 3, lines 40-67 to col. 4, lines 1-30, extracted keywords are used as new auto-query input); and wherein the search results are readily available to a user, see (209, fig. 2, col. 3, 48-67 to col. 4, lines 1-30, search results are displayed on 209, fig. 2). Borovoy does not explicitly disclose caching search results from the search. However, Corl discloses, "the method 100 saves computational time by caching the results of the search that uses a decision tree. If the key and the action(s) corresponding to the matching filter rule(s) can be found in the cache, the decision tree need not be used. Although use of the decision tree is an improvement over explicitly testing each key against each filter rule, the decision tree may be relatively computationally expensive. A search of the cache is often faster then using the decision tree. Consequently, use of the cache may save time in testing filter rules", see (col. 9, lines 25-49). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to include caching search results from the search in the system of Borovoy. Thus, one having ordinary skill in the art at the time the invention was made would have been motivated to use such a combination because

that would provide Borovoy's system the enhanced search result caching system to save time and storage.

With respect to claim 17, Borovoy discloses the computer instructions, see (col. 2, lines 26-40, computer system contains computer instructions).

With respect to claim 21, Borovoy discloses that application is selected from the group of: word processor, spreadsheet, database, image processor, web browsers, text recognition, email client, and operating system, see (fig. 2, col. 3, 25-67).

### ***Allowable Subject Matter***

5. Claims 1-10, 12-15 and 18-20 are allowed over prior art on previous office action.

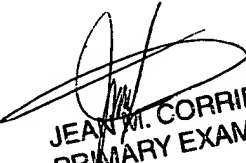
### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW  
April 12, 2005

  
JEAN M. CORRIELLUS  
PRIMARY EXAMINER